



## The Housing Imperative for Persons with Disabilities to Advance Independent Living and Recovery

October 31, 2024

# HMA EXPERTS



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# EXPERT PANELISTS



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# WEBINAR OBJECTIVES



Understand the impacts of affordable and accessible housing on persons with disabilities, as seen through an equity lens.



Examine the state of affordable and accessible housing for persons with disabilities.



Broaden your understanding of the impacts of race, income, disability, and geography on access to affordable and accessible housing.



Learn from experts about ways to expand housing for persons with disabilities.

# PBS: “EXTRA HURDLES AMID NATIONAL SHORTAGE”

PBS  
NEWS

Menu

## Disability Reframed



Nation Aug 27

**People with disabilities face extra hurdles amid national housing shortage**

By Judy Woodruff, Layla Quran

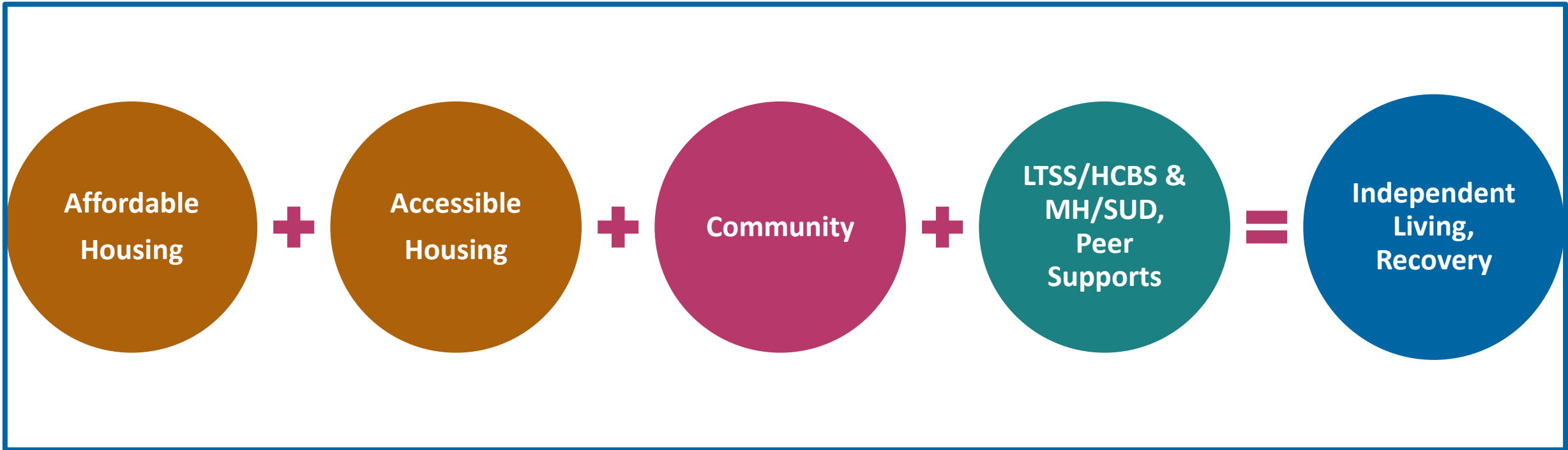


“Millions of Americans are priced out of homes and apartments. For people with disabilities, finding an accessible place they can afford can be even more challenging.”

*-Judy Woodruff reports on the affordable housing shortage for our series, Disability Reframed.*

Source: <https://www.pbs.org/newshour/show/people-with-disabilities-face-extra-hurdles-amid-national-housing-shortage>

# OPERATIONALIZING INDEPENDENT LIVING AND RECOVERY



LTSS = Long-term services and supports

HCBS = Home and Community-Based Services

MH/SUD = Services for Mental health and Substance Use Disorder

# HOUSING IS AN IMPERATIVE: SETTING THE STAGE

## More than 70 million or more than 1 in 4 adults have some type of disability.

- About 1 in 4 persons with a disability live in poverty, compared to 11.5% of persons without a disability.
- 12.5 million persons who are dually eligible, covered under Medicaid and Medicare in the U.S.
- Several key reports explain the market: [“State of the Nation’s Housing 2024,”](#) [“Priced Out,”](#) and [“Beyond the Minimum.”](#)

## Affordable and accessible housing is critical for persons with disabilities.

- Housing protects persons with disabilities from homelessness and institutionalization.
- Housing is not enough. Integrated and coordinated care delivery that includes home-and-community based services (HCBS) and other supports are critical to the health and wellbeing of persons with disabilities.
- Celebrate the 25<sup>th</sup> anniversary of [Olmstead](#), right to state-funded supports and services in the community, by advancing housing rights for people with disabilities.

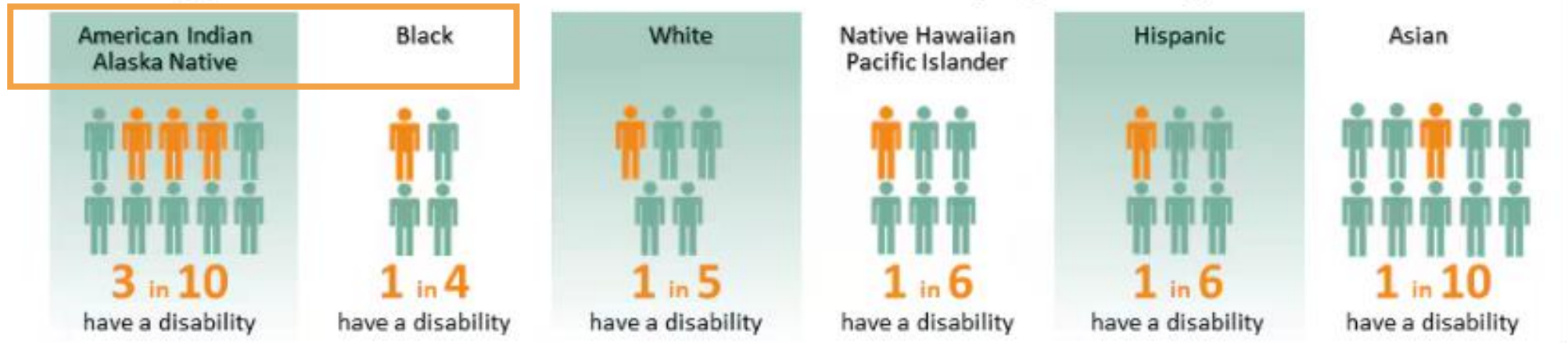
# THE INTERSECTIONALITY OF RACE AND DISABILITY



## Adults with Disabilities: Ethnicity and Race

When it comes to the health of people with disabilities, it's important to know the health differences among racial and ethnic groups

Approximate number of adults with a disability by ethnicity and race



30%

25%

20%

16.6%

16.6%

10%

[Socioeconomic Factors / Race and Ethnicity | CDC](#)



## INTERVIEW WITH OLIVIA RICHARD

*“MY HOUSING  
SITUATION IS  
INCREDIBLY RARE.  
BUT EVERYONE  
DESERVES IT.”*



**Image description: Olivia is 40 years old, White woman, with a cap. Olivia uses a wheelchair.**

# THE NATION

## KEY TAKEAWAYS:

- The affordability crisis impacts **tens of millions** of renters and owners.
- **Housing is healthcare:** Housing has proven impacts on health outcomes.
- People with disabilities face additional, **unique housing challenges**. Finding accessible housing is a critical problem.
- Supplemental Security Income (SSI) income is **not enough** for housing even in the most affordable markets.

# AFFORDABILITY CRISIS

“Homeowners and renters across the US are struggling with high housing costs. On the for-sale side, millions of potential homebuyers have been priced out of the market by high home prices and interest rates, while the number of renters with cost burdens has hit an all-time high.”

-The State of the Nation's Housing, 2024, Joint Center for Housing Studies, of Harvard University

## Out of Reach

- In CA, a household needs to earn \$87,880/yr for the average two-bedroom to be affordable
- Only 25% of Americans who qualify for federal housing assistance receive it.

## Widespread Instability

- Half of all US renters are cost burdened
- 13 of the 20 largest occupations in the USA pay less than the housing wage

## Housing is Health

- Associated with positive outcomes related to mental health, infant birthweights, longevity, chronic disease, and economic success.

# HOUSING FACTORS | HEALTH OUTCOMES

- **Stability.** The impact of mortgage foreclosures on mental health and health behaviors is associated with worsened outcomes, including depression, anxiety, increased alcohol use, psychological distress and suicide.
- **Location.** Food, education, green space, job opportunities associated with health outcomes. Children under 13 moving to neighborhoods with less poverty significantly increased adulthood earnings (avg. \$3,477/year) and increased likelihood of going to college.
- **Affordability.** Having little income after paying for housing forces tradeoffs between rent/mortgage and healthcare; more income after housing frees up \$ for health insurance, food, and education.
- **Quality.** Overcrowding and poor educational outcomes (child math scores going down as the number of household members per room in a home goes up). Environmental hazards in the home – lead paint, asbestos, mold, allergens all well known to be harmful to health.



## PEOPLE WITH DISABILITIES FACE ADDITIONAL CHALLENGES



Additional barriers to affordability, accessibility, and the ability to receive support/care in the home.

Lower income (\$42,736 vs \$75,000) and employment (23% vs 69%) than non-disabled Americans. “84% of disabled people with low incomes in the United States — nearly 18 million people in 15.6 million households — are eligible for housing assistance but do not receive it.”



Comprehensive HUD study showed widespread housing discrimination against wheelchair users, including refusal to make home accessibility modifications and provide designated parking, even though these are legally required under the Fair Housing Act.

# PERCENT OF INCOME SPENT ON RENT

	General Public	With Disabilities
Owners	25%	59%
Renters	34%	69%

[Source: Renters and Homeowners with Disabilities Struggle with Financial Security and Housing Accessibility - Freddie Mac](#)

# TAC NAMES PROBLEM: “PRICED OUT”



Supplemental Security Income (SSI) is only

**\$985**

per month.



The average rent for a basic one-bedroom apartment is

**\$1,399**

per month, or **142%** of a disabled person's income, leaving no money for food, transportation, clothing, or other necessities.

**THIS IS NOT AFFORDABLE.**



It's no wonder there are

**653,104**

individuals living on the streets and shelters – and too many stuck in expensive institutions at the national average of **\$759** per day.

# STATE LANDSCAPE

The maps in this section provide a way to understand the conditions present in each state, across the country. They do not, however, describe the variation within a state, at the community or individual level.

- Prevalence of Disability
- Home-and Community-Based Services
- Fair Market Rent (FMR)
- Disability and HCBS
- Disability and FMR

[Image: Background — Charlie Carr](#)






# Five Maps to Better Understand State Conditions

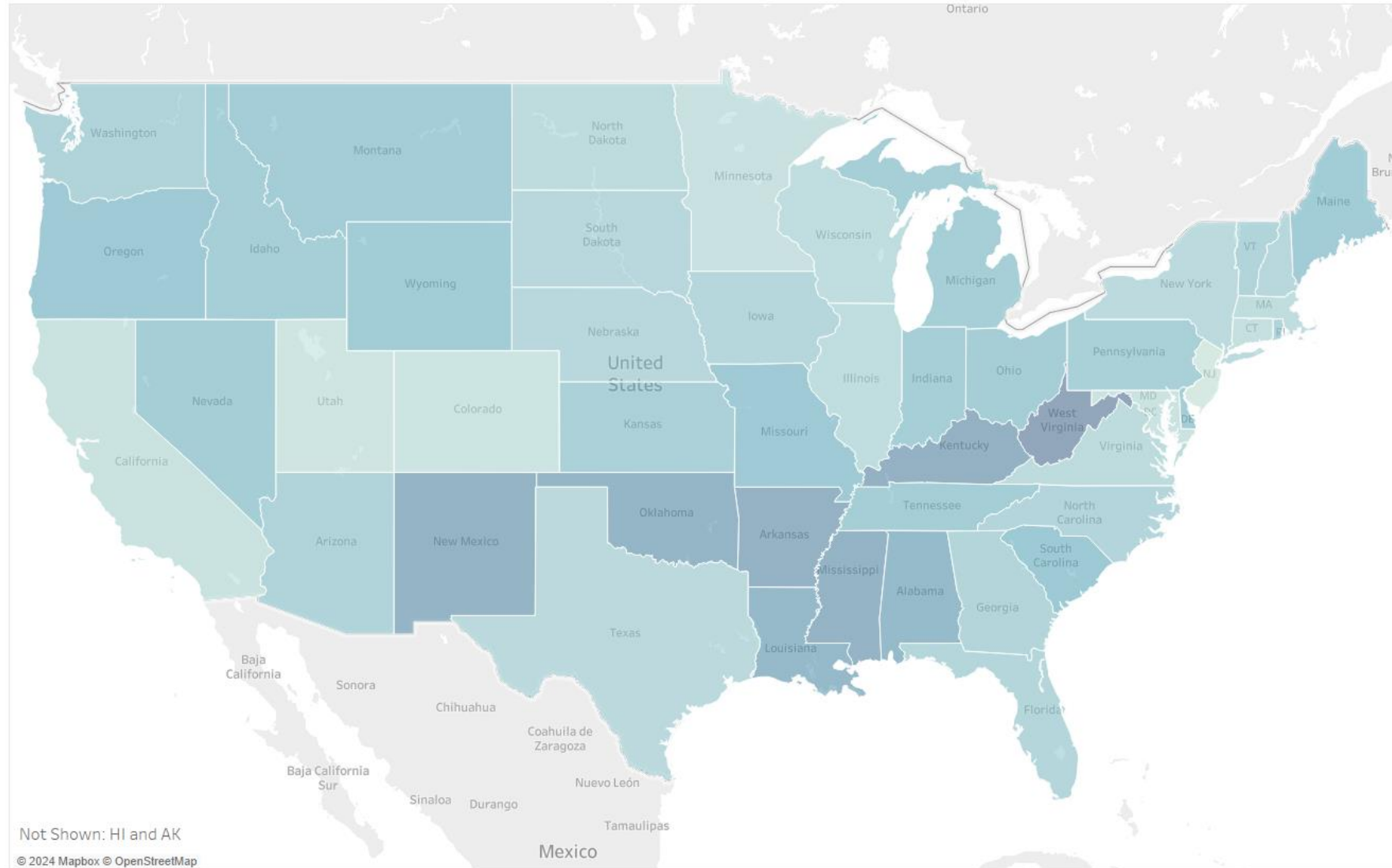
Map Name and Key Findings	Range: Low	Median	Range: High
Map 1. The Prevalence of Disability, 18+, 2024, ACS	NJ = 12.77%	All States = 15.95%	W VA = 23.05%
Map 2: The Fair Market Rent (FMR), 2024, HUD	Missouri (MO) = \$635	All States = \$806 SC is also the median.	Washington DC = \$1,803
Map 3. Medicaid HCBS Rebalancing, 2021, CMS	Mississippi (MS) = 32%	All States = 56.8% CT is also the median.	Oregon (OR) = 83.9%
	<b>Best Condition</b>		<b>Worst Condition</b>
Map 4. Rent/FMR and Disability	Low FMR, Low disability: Illinois, Nebraska, N. Dakota	<< == >>	High FMR, High disability: Nevada, Alaska
Map 5. HCBS and Disability	High HCBS, Low disability: CA, CO, TX, MN, WI, NY, MA, VA	<< == >>	Low HCBS, High disability: WV, KY, AR, OK, AL, LA, SC

ACS = American Community Survey. HUD = Housing and Urban Development. CMS = Centers for Medicare and Medicaid Services.

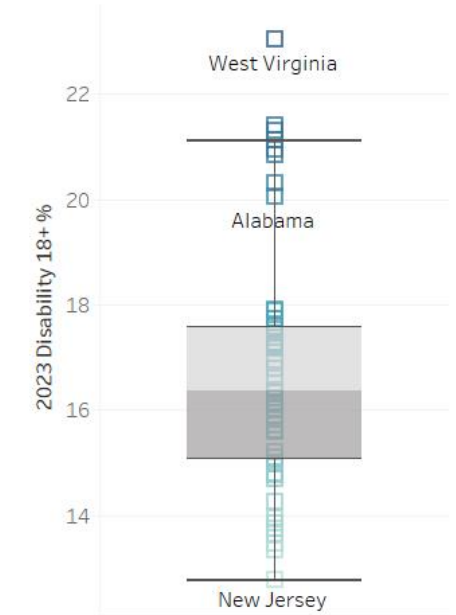
# Map 1. Disability Prevalence

2023 Disability 18+ as a % of Population 18+  
12.77  23.05

Source: U.S. Census Bureau, 2023 American Community Survey 1-Year Estimates



Box & Whisker



WV, KY, and AR are high disability outliers (>21.3%)

2023 Summary Table

Total Population	329,987,997
Population 18+	257,416,490
Disability 18+	41,063,076
Min. Disability 18+ %	12.77
P33 Disability 18+ %	15.61
Agg. Disability 18+ %	15.95
P66 Disability 18+ %	17.25
Max. Disability 18+ %	23.05

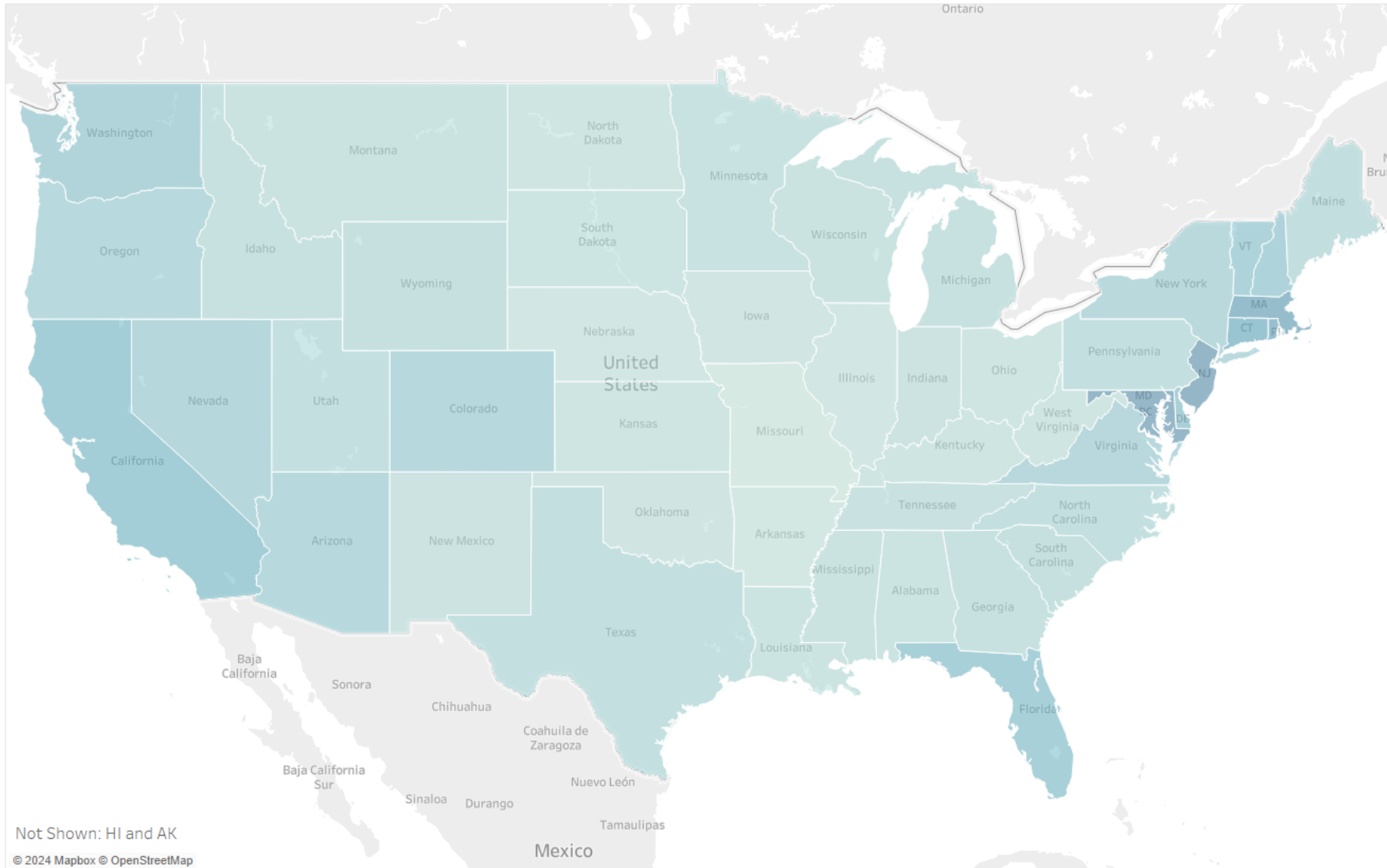
Not Shown: HI and AK

© 2024 Mapbox © OpenStreetMap

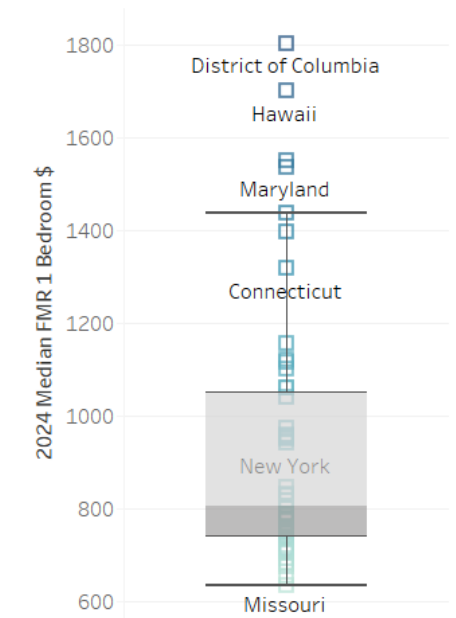
# Map 2. Rent (FMR)

2024 Median Fair Market Rent (FMR) - 1 Bedroom \$  
635  1803

Source: HUD User Data Sets, 2024 Fair Market Rent City/Town/County Estimates



## Box & Whisker



DC, HI, NJ, MD are high FMR outliers (>\$1535)

## 2024 Summary Table

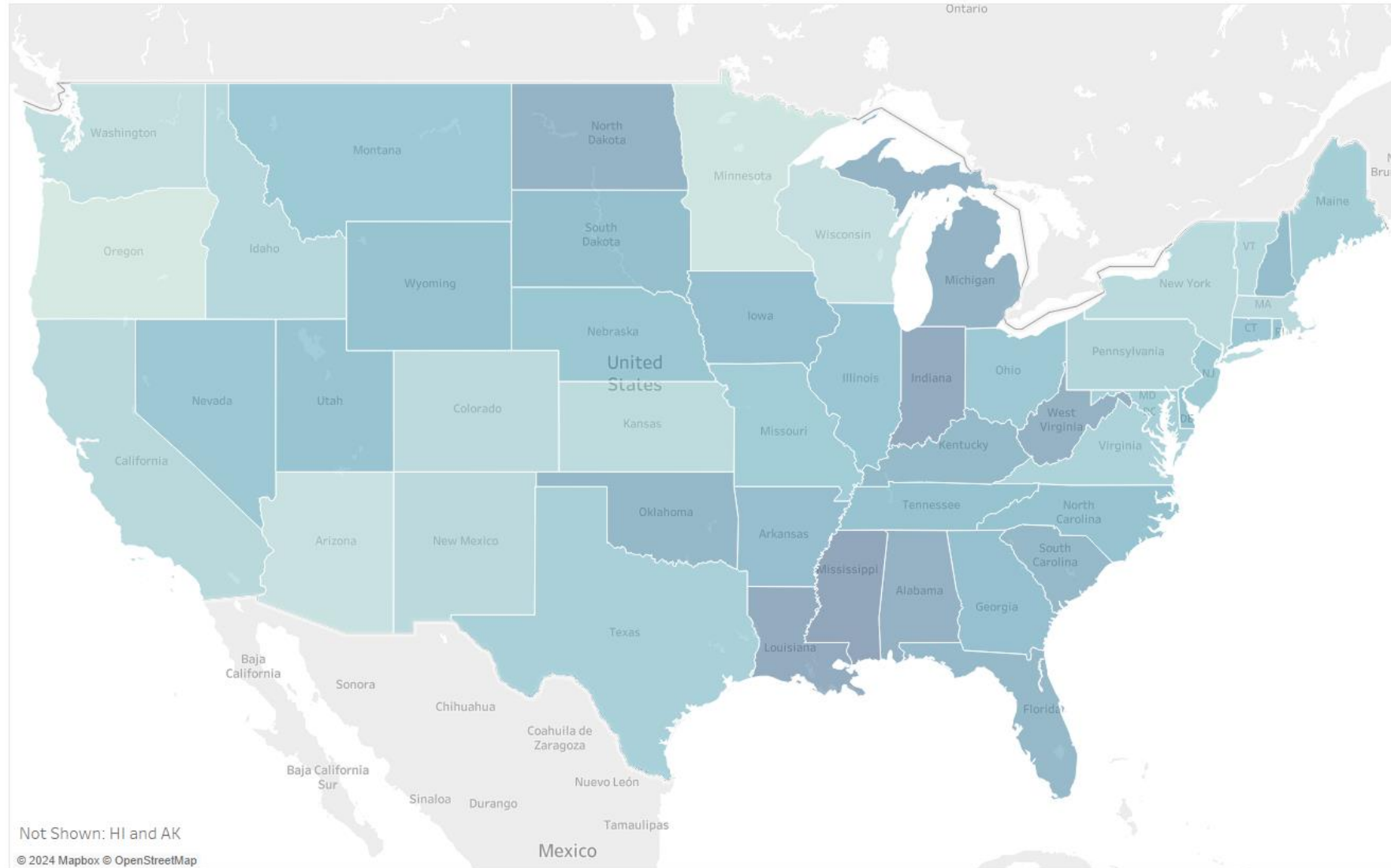
Min. FMR 1 BR \$	635.00
P33 FMR 1 BR \$	755.80
Median FMR 1 BR \$	806.00
P66 FMR 1 BR \$	956.23
Max. FMR 1 BR \$	1,803.00

# Map 3. The Percentage of LTSS Spent on Home-and-Community Based Services (HCBS)

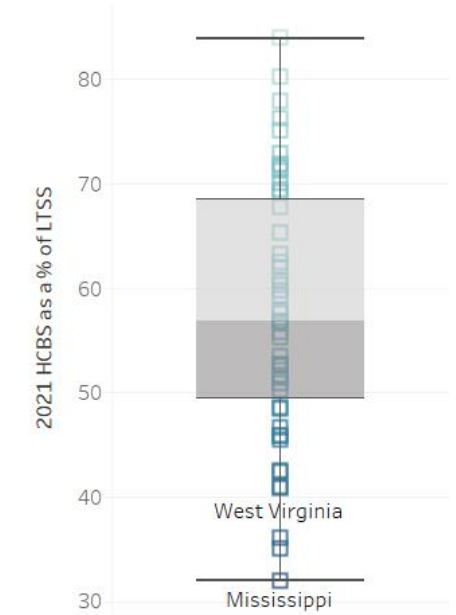
2021 HCBS as a % of LTSS

32.00 83.90

Source: Mathematica, 2021 LTSS Use and Expenditures by Service Category Estimates



Box & Whisker



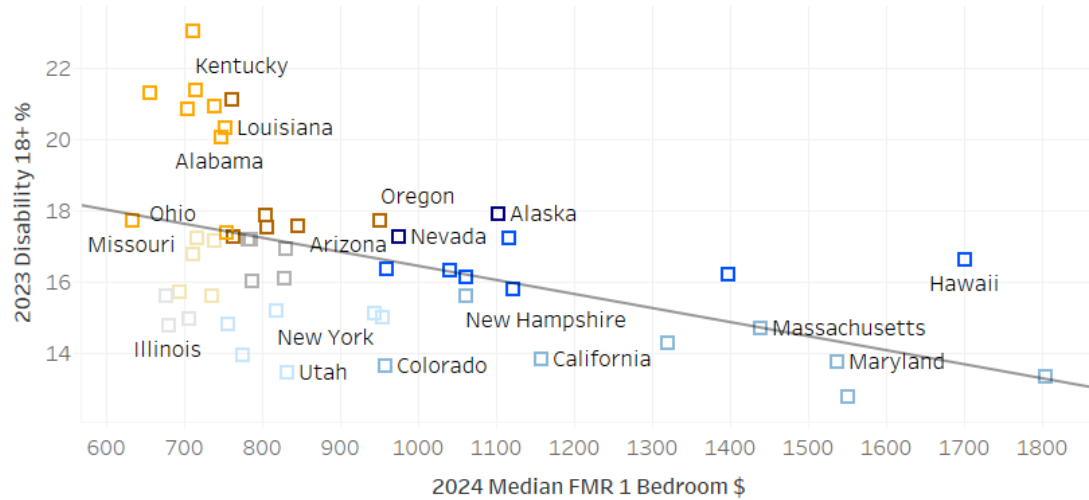
There are no HCBS high outliers; however, lower HCBS values indicate greater adversity

2021 Summary Table

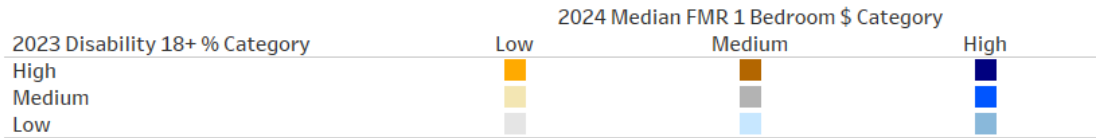
Min. HCBS as a % of LTSS	32.00
P33 HCBS as a % of LTSS	52.25
Median HCBS as a % of LTSS	56.80
P66 HCBS as a % of LTSS	62.14
Max. HCBS as a % of LTSS	83.90

# Map 4. Rent and Disability: States with High Rent Tend to Have Lower Disability Prevalence

Bivariate Relationship Scatter Plot: Rent and Disability



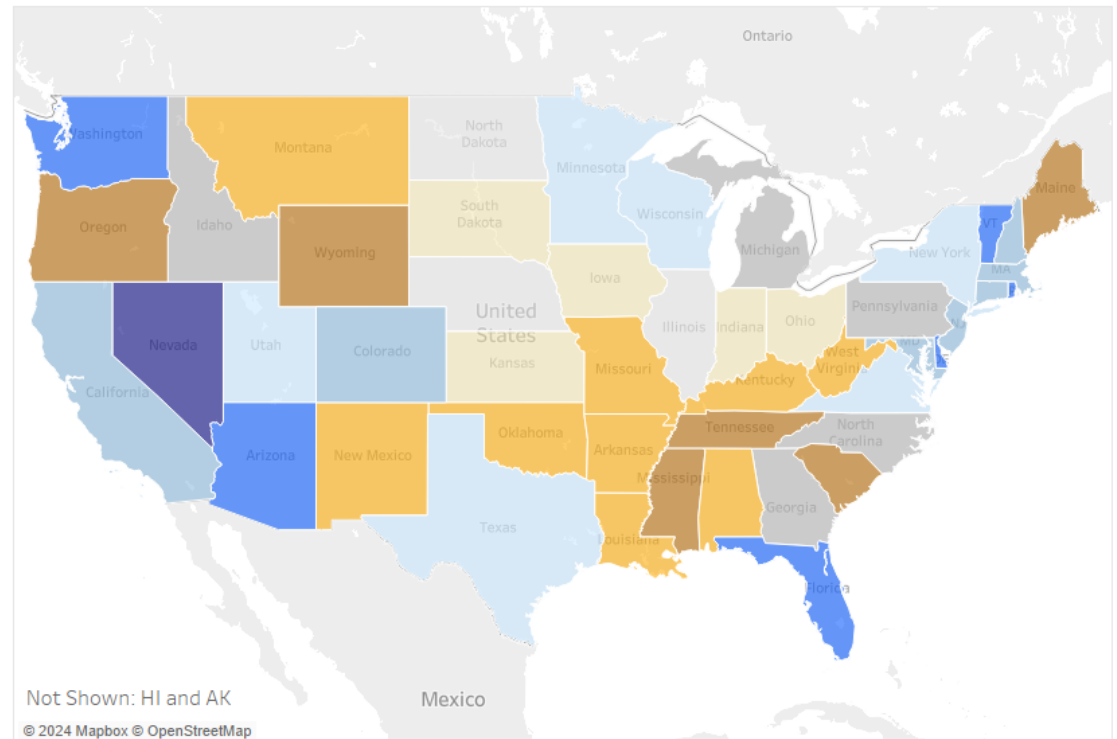
Color Legend



**Key Scatter Plot Takeaways:**

- Statistically significant inverse relationship
- In states with high rent, disability tends to be low
- In states with low rent, disability tends to be high

States that are dark blue have high rent and high disability

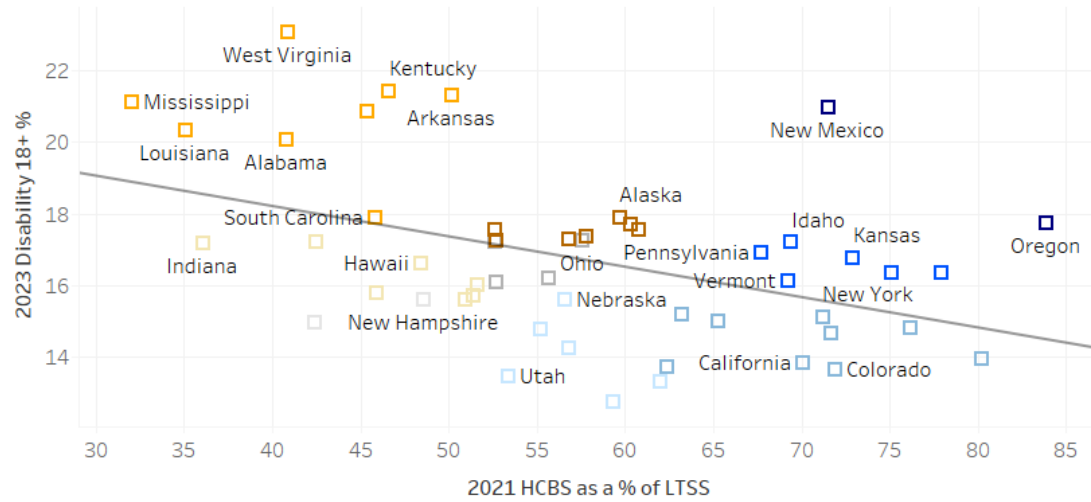


**Key Map Takeaways:**

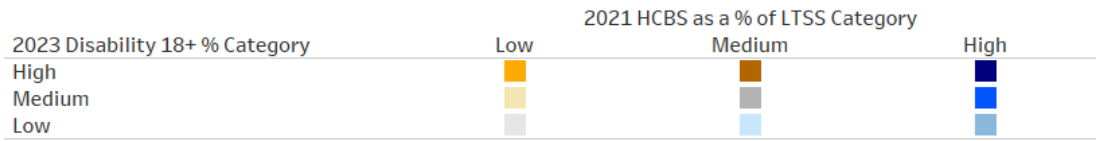
- Nevada and Alaska have high FMR (>\$956) and high disability (>17%)
- Illinois, Nebraska, and North Dakota have low FMR (<\$755) and low disability (<15%)
- Illinois may have wide variation across the state
- Aggregation bias: an association observed between variables on an aggregate level does not necessarily represent the association that exists at an individual level

# Map 5. HCBS and Disability: States with High HCBS Tend to Have Lower Disability Prevalence

Bivariate Relationship Scatter Plot: HCBS and Disability



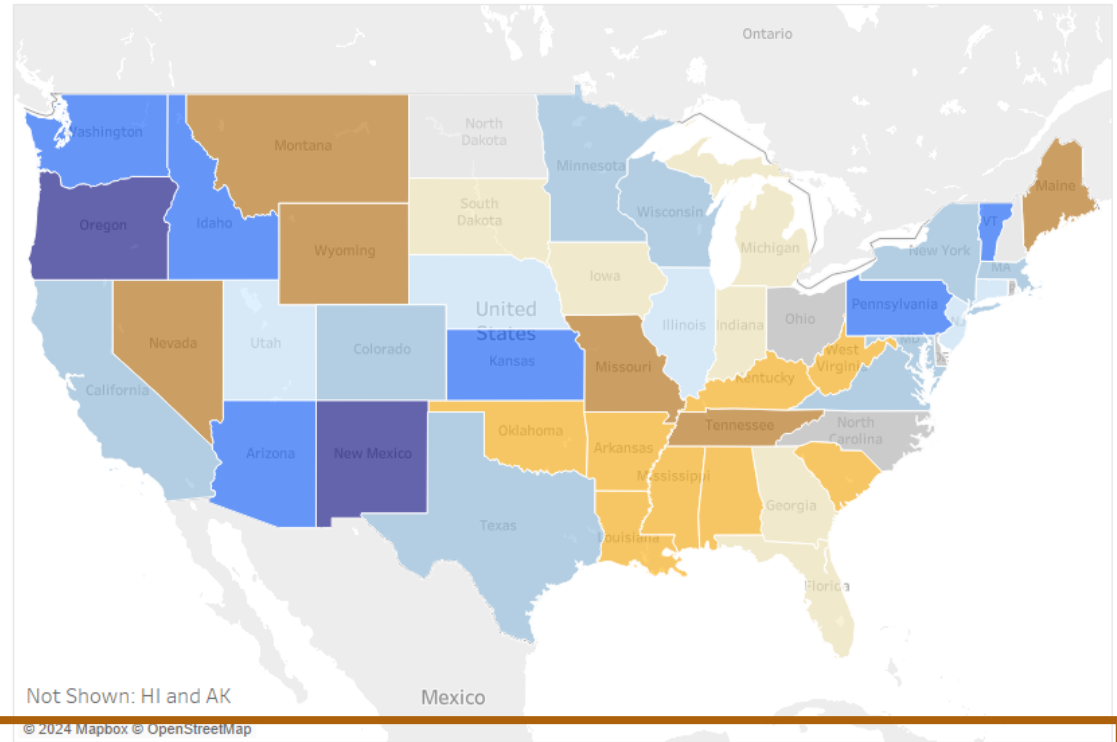
Color Legend



## Key Scatter Plot Takeaways:

- Statistically significant inverse relationship
- In states with high HCBS, disability tends to be low
- In states with low HCBS, disability tends to be high
- Lower HCBS values indicate greater adversity

States that are orange have low HCBS and high disability



## Key Map Takeaways:

- WV, KY, AR, OK, AL, LA, SC, and MS have low HCBS (<52%) and high disability (>17%); these states, although not all contiguous, are located in the southern US.
- CA, CO, TX, MN, WI, NY, MA, and VA have high HCBS (>63%) and low disability (<15%)
- Aggregation bias: an association observed between variables on an aggregate level does not necessarily represent the association that exists at an individual level

# **FIRESIDE CHAT**

- **The Legal Framework**
- **Advocacy and Housing Vouchers**
- **Social Model**

# BARRY WHALEY

PROJECT DIRECTOR, SOUTHEAST ADA CENTER

Syracuse University



Burton Blatt Institute



# THE LAWS AND HOUSING RIGHTS FOR PERSONS WITH DISABILITIES

## Section 504 of the Rehabilitation Act of 1973

*This law says, if you receive federal funds from any federal department or agency, you cannot deny people with disabilities an equal opportunity to receive benefits and services.*

- A disability is a physical or mental impairment that substantially limits one or more major life activities. It also protects people who have a record or history of an impairment, or someone who is regarded as having an impairment.
- No less than 5% of units must be accessible and 2% accessible for people with vision or hearing impairments.
- Cost is borne by landlord.
- Section 8 vouchers do not trigger 504.



# THE LAWS AND HOUSING RIGHTS FOR PERSONS WITH DISABILITIES

Fair  
Housing  
Act of 1968

American  
with  
Disabilities  
Act of 1990

State Laws  
49 States  
and D.C.



# FAIR HOUSING COMPLAINTS

## Fair Housing Complaints

- 70% of all Fair Housing Complaints occur during leasing.
- 30% occur after move-in.
- 44% of complaints have to do with a renter's disability.
- 35% of complaints have to do with race.

## Are there exemptions?

- Private and religious organizations with non-commercial housing.
- Owner occupied buildings with no more than 4 units.



# REASONABLE ACCOMMODATION

## What is a reasonable **accommodation** in housing?

A change, exception or adjustment to a rule, policy, practice, or service necessary for someone with a disability to use and enjoy a dwelling.

Examples: parking, alternative ways to pay rent, types of ID accepted.

This applies to all housing regardless of financing.

## What is a reasonable **modification** in housing?

Permitting someone with a disability to modify a property at their own expense to have full enjoyment of the property. The tenant is also responsible for restoring the property to its original condition.

If the property receives federal funds, the cost of modification falls on the property owner unless it can be shown to be a financial and administrative burden.

## THE 7 DESIGN REQUIREMENTS UNDER FAIR HOUSING

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Building entrance accessible and on an accessible route of travel.

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Accessible and usable public common use areas.

---

Usable doors: 32" wide with 90 degrees opening, threshold no more than ¼ inch or ½ if it has a beveled slope no more than 1:2, No more than 5 lbs. force to open the door, closing no less than 5 seconds.

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Accessible paths of travel through the dwelling.

---

Electrical outlets, light switches, thermostats and other controls in accessible locations. Switches no more than 48" high or 44" if they are an obstruction over 20"

---

Reinforced walls for grab bars. 6"x24" reinforcement.

---

Accessible kitchens and bathrooms.

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## SERVICE ANIMALS

- ADA does not require a service animal (defined as a dog) to have special identification.
- Fair housing does allow a landlord to ask for documentation that the dog is needed due to disability.
- ESAs are not protected by ADA but are permitted under Fair Housing. ESAs are not limited to dogs.
- ESAs require documentation and are allowed unless they fundamental alter the service or create an undue burden.

**R FEYNMAN**

**DIRECTOR OF ADVOCACY, DISABILITY POLICY CONSORTIUM**



# MAKING AFFORDABLE HOUSING TRULY INCLUSIVE

- Overlap of affordable and accessible units.
- The **Alternative Housing Voucher Program (AHVP)** provides rental assistance to low-income adults with disabilities under 65 in Massachusetts.
- 50 AHVP vouchers used in **Nursing Home Pilot** taught us a lot about the places these systems don't work.





# ALLIE CANNINGTON

DIRECTOR OF ADVOCACY, THE KELSEY





# The solution: disability-forward housing

## **AFFORDABLE**

housing that is affordable to people of all incomes including those at the lowest incomes (20-30% AMI)

## **ACCESSIBLE**

cross-disability design to support diverse access needs and located with access to services, amenities, and transit

## **INCLUSIVE**

integrated homes for people with disabilities who use supportive services with on site programming, amenities, and staffing to support inclusion

**Community**  
with connections,  
recreation,  
spirituality, joy,  
meaningful work,  
and relationships



**Housing**  
that is  
accessible,  
affordable  
across a range  
of incomes, and  
meets personal  
preferences



**Supports & Services**  
including medical  
services, in home  
supports, and  
therapies  
designed to meet  
individualized  
needs



## Build Housing

Innovate

Build, assist, and enable development of inclusive, accessible, affordable housing that demonstrates what works and meets immediate housing needs

## Advance the Field

Orchestrate

Support housing industry leaders to understand the issue and resource them to embed disability-forward housing into their own design, development, and funding initiatives

## Change Policies

Agitate

Changing systems, championed by government leaders, that make disability-forward housing easier to develop and better resourced

What we've achieved to date:

## Build Housing



**303**  
homes  
created

**155**

homes  
assisted



**13,209**

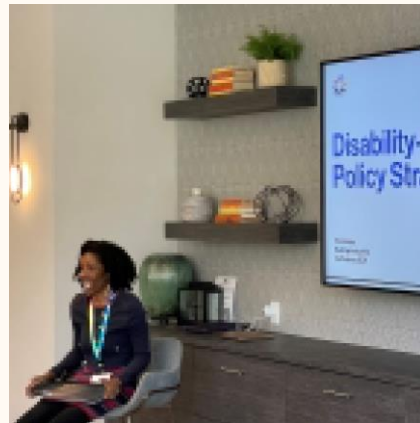
homes  
enabled

## Advance the Field



**456**

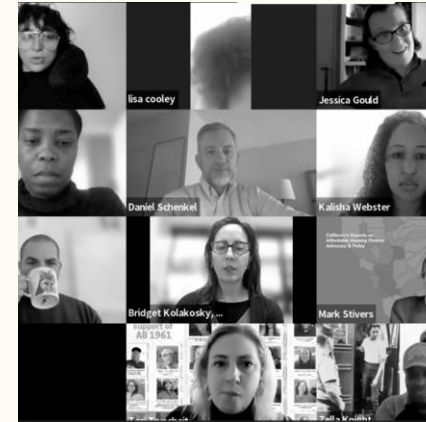
organizations  
supported



**2,552**

individuals  
educated  
across 47  
states

## Change Policies



**1,377**

advocates  
engaged



**11**

cities and  
states  
impacted



# Build Housing



The Kelsey Ayer Station  
*115 homes in San Jose, California*



Open now to individuals with and without disabilities across a wide range of incomes. Our residents come from all walks of life including 10+ year housing searches, homelessness, and inaccessible environments to beautiful new apartment homes and access to on-site programs and services via our Inclusion Concierge™.

# Join us.



Contact: [allie@thekelsey.org](mailto:allie@thekelsey.org)



Follow us @TheKelseyMore



[www.thekelsey.org/join](http://www.thekelsey.org/join)



# WHAT CAN WE DO FOR YOU?

Our depth and breadth of experience has helped an incredibly diverse range of healthcare industry leaders.

## Questions?



**Ellen Breslin, MPP**

*Principal*

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**Carmen Daniels-Jones**

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**Anissa Lambertino, PhD**

*Senior Consultant*

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# BEYOND THE WEBINAR: RESOURCES

# 1 IN 4 ADULTS IN THE US HAVE SOME TYPE OF DISABILITY

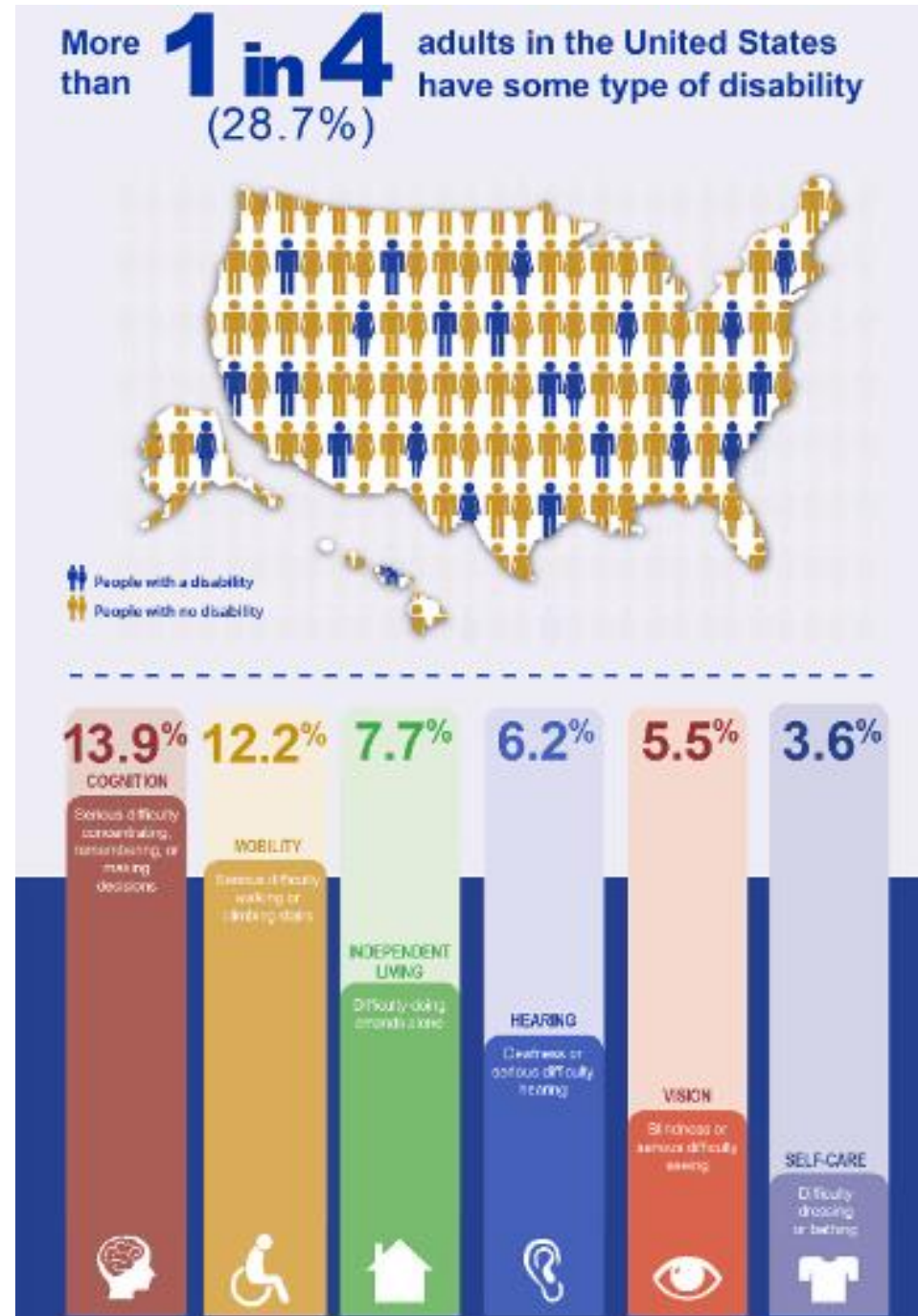
“Disability is part of being human and is integral to the human experience. It results from the interaction between health conditions such as dementia, blindness or spinal cord injury, and a range of environmental and personal factors.” (WHO)

“A disability is any condition of the body or mind (impairment) that makes it more difficult for the person with the condition to do certain activities (activity limitation) and interact with the world around them (participation restrictions).” (CDC)

[Disability](#)

[Disability and Health Overview | CDC](#)

[Disability Impacts All of Us Infographic | CDC](#)



# OLMSTEAD, IL AND RECOVERY MOVEMENTS

## Landmark Civil Rights Olmstead Decision

“Olmstead, or Olmstead v. LC, is the name of the most important civil rights decision for people with disabilities in our country's history. This 1999 United States Supreme Court decision was based on the Americans with Disabilities Act. **The Supreme Court held that people with disabilities have a qualified right to receive state funded supports and services in the community rather than institutions** when the following three-part test is met: 1) the person's treatment professionals determine that community supports are appropriate; 2) the person does not object to living in the community; and 3) the provision of services in the community would be a reasonable accommodation when balanced with other similarly situated individuals with disabilities.” [Olmstead Decision](#)

## Independent Living and Recovery

“Independent living can be considered a movement, a philosophy, or specific programs. In the context of ACL, independent living programs are supported through funding authorized by the [Rehabilitation Act of 1973, as amended](#) (The Act). Title VII, chapter 1 of the Act states the current purpose of the program is to **“promote a philosophy of independent living including a philosophy of consumer control, peer support, self-help, self-determination, equal access, and individual and system advocacy, in order to maximize the leadership, empowerment, independence, and productivity of individuals with disabilities, and the integration and full inclusion of individuals with disabilities into the mainstream of American society.”**

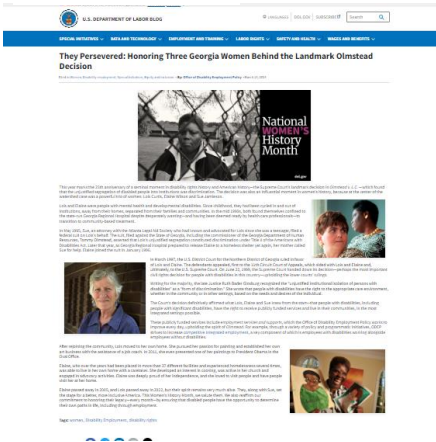
“SAMHSA's [working definition of recovery](#) defines recovery as a process of change through which individuals improve their health and wellness, live self-directed lives, and strive to reach their full potential. Recovery signals a dramatic shift in the expectation for positive outcomes for individuals who experience mental and substance use conditions or the co-occurring of the two.”

# IMAGES FROM OLMSTEAD AND THE IL MOVEMENT

SUE, LOIS, AND ELAINE



## Sue, Lois, and Elaine - Olmstead Rights *Olmstead v. L.C. Lois Curtis*



## They Persevered: Honoring Three Georgia Women Behind the Landmark Olmstead Decision | U.S. Department of Labor Blog

Ed Roberts



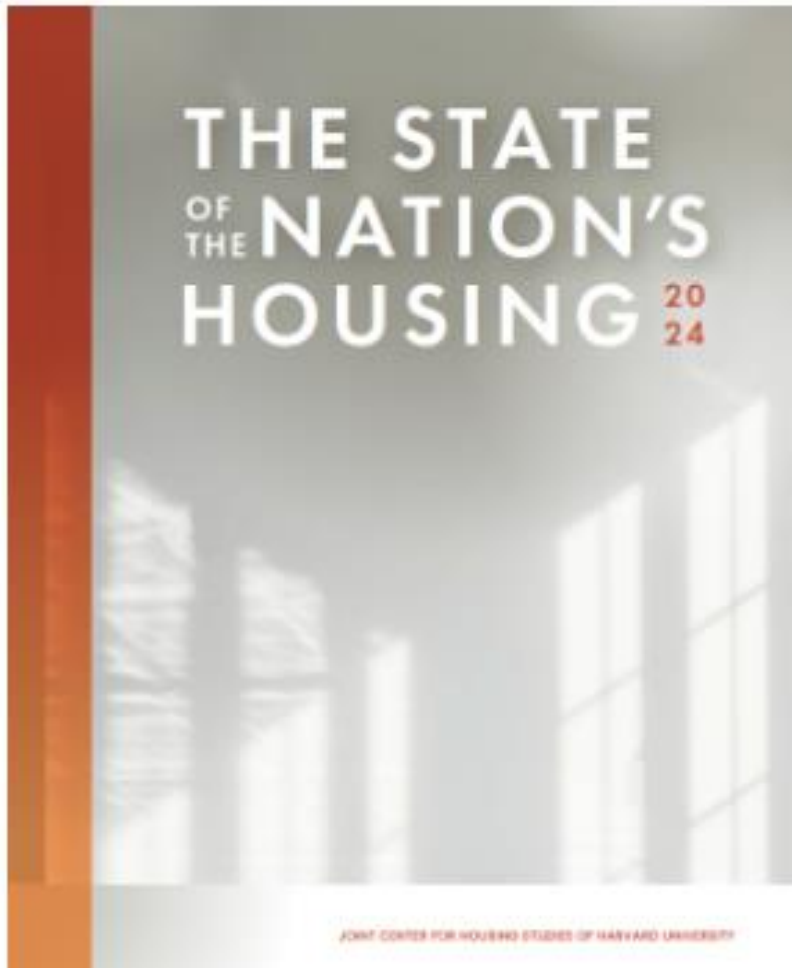
Judy Heumann



**Image 1.** A black and white picture of Ed Roberts smiling with dark grey and white facial hair, wearing a shirt in a wheelchair. Ed is considered the “Father of the Independent Living Movement.” Ed Roberts, Activist “Free Wheeling” Segment from “People in Motion, Ready to Live.” <https://mn.gov/mnddc/ed-roberts/freeWheeling.html>

**Image 2.** Judy Heumann smiles while posing for a portrait in her office. Judy is wearing red glasses, short brown hair, a red sweater. Judy is considered the “Mother of the Disability Rights Movement.”

# KEY HOUSING REPORTS – STATE OF THE NATION



## Why is this report important?

**“Homeowners and renters across the US are struggling with high housing costs.** On the for-sale side, millions of potential homebuyers have been priced out of the market by high home prices and interest rates, while the number of renters with cost burdens has hit an all-time high. However, a surge in new multifamily rental units is slowing rent growth and accelerated single-family construction is starting to lift for-sale inventories.”

**Joint Center for Housing Studies of Harvard University**

**[THE STATE OF THE NATION'S HOUSING 2024](#)**

# KEY HOUSING REPORTS – PEOPLE WITH DISABILITIES

## Priced Out: The Affordable Housing Crisis for People with Disabilities in 2024

January 10, 2024

### AUTHOR

Lisa Sloane,  
M.P.A.

### FOCUS AREAS

Affordable Housing, Olmstead  
& Community Integration

### TOPICS

Affordable Housing Planning,  
Olmstead



As communities across the United States grapple with visible unsheltered homelessness, mass incarceration, and institutionalization – all of which disproportionately affect people with disabilities – policymakers must use available data and evidence-based practices to advance solutions.

## [Priced Out: The Affordable Housing Crisis for People with Disabilities in 2024 - TAC](#)

**Why is this report important?** “SSI is not enough.” “the 4.1 million people with disabilities ages 18 to 64 who receive SSI cannot afford an apartment in any housing market in the United States without additional support.”

Lisa Sloane, Technical Assistance Collaborative (TAC)

## Beyond the Minimum: How Social Housing Can Fully Include Disabled People

Issue brief by Mary Lou Breslin & Syd Pickern



## [Beyond the Minimum: How Social Housing Can Fully Include Disabled People](#)

**Why is this report important?** There is a “burgeoning movement for social housing” in the U.S. There are “untapped opportunities to increase permanent, affordable, accessible housing for disabled renters.”

Mary Lou Breslin, Disability Rights Education and Defense Fund and Syd Pickern of Lurie Institute for Disability Policy at Brandeis University.

# DATA NOTES

## Disability in Public Health Data

“CDC is working to ensure that people with disabilities are included in public health data. This involves addressing multiple areas where people with disabilities are not represented, or are underrepresented, in public health data collection. These data are essential for informing public health actions, addressing health disparities, and enhancing quality of life for people with disabilities across the lifespan.

People with disabilities experience disability in different ways, and how it is measured will result in different estimates of prevalence. Current estimates of disability prevalence from different data sources range from 8% to over 30% of the population, depending on how disability is defined. Even when the Census Bureau’s American Community Survey (ACS) and CDC’s Behavioral Risk Factor Surveillance System (BRFSS) use the same question set, known as the ACS-6, differences in data collection methods, such as sampling, weighting methods, modes of survey administration, and response rates produce different prevalence estimates.”

**“The most recent estimate from ACS is 13.4% ([Census, 2022](#)) and the most recent from BRFSS is 28.7% ([Disability and Health Data System, 2022](#)). CDC is collaborating with partners to continue to improve disability representation in public health data.”**

[Disability and Health - Disability Data | CDC](#)